IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION 5:18-CV-36-BO

JUSTIN JAMEL WHITE,)	
Plaintiff,)	
v.)	ORDER
NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY,)))	
Defendant.)	

This case comes before the court on the motion (D.E. 18) by plaintiff Justin Jamel White ("plaintiff") to compel nonparty Goldsboro Police Department to respond to a subpoena duces tecum (D.E. 18-1) issued by plaintiff pursuant to Rule 45 of the Federal Rules of Civil Procedure on 11 December 2018. The Goldsboro Police Department has not filed any opposition to the motion and does not apparently object to producing the documents sought, but requires a court order in order to be able to produce them pursuant to provisions of North Carolina state law. Pl.'s Mem. (D.E. 19) 6-7; see N.C. Gen. Stat. § 160A-168(c)(4). The court finds the production sought to be lawful. See Fed. R. Civ. P. 26(b)(1), 45(d)(2).

IT IS THEREFORE ORDERED as follows:

- 1. Plaintiff's motion is ALLOWED.
- 2. The Goldsboro Police Department shall produce the documents subject to the subpoena on the terms provided therein, with the exception that the date for production shall be changed to a date no earlier than 25 February 2019, unless the Goldsboro Police Department agrees to an earlier date.

¹ Defendant North Carolina Department of Public Safety also has not filed any response to the motion.

SO ORDERED, this <u>(</u> day of February 2019.

James E. Gates

United States Magistrate Judge